

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Gabriel Randolph, # 248729,

Plaintiff,

vs.

Richard Bazzle, Warden;  
C. Buchler, Law Library Supervisor of Perry Corr. Inst;  
South Carolina Department of Correction (SCDC); and  
SCDC General Counsel, Each Individual Capacity,

Defendants.

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C/A No. 2:06-3432-MBS-RSC

Order

This case is before the undersigned for consideration of a Motion for Return of Legal Materials filed by Plaintiff on February 7, 2007. (Entry 15). It does not appear from the certificate of service attached to the Motion that counsel for Defendants was formally served with the Motion even though he should have received notice and copy of the filing of the Motion through the Court's Electronic Filing System (ECF).

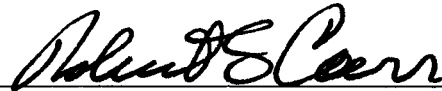
Plaintiff is reminded that even though he is proceeding *pro se* in this case, he is obliged to serve Defendants' counsel with any and all Motions he files in this case. Plaintiff is hereby apprised that a copy of any pleading, motion, and other paper filed by Plaintiff with the Clerk of Court in connection with this case must be signed by Plaintiff and is to be served upon the counsel for Defendants. A certificate verifying such service on Defendants (*aka "Certificate of Service"*) is to be filed with the Office of the Clerk of Court. See Lewis v. Sheahan, 35 F. Supp.2d 633, 634 n. 1 (N.D. Ill. 1999).

In his Motion, Plaintiff alleges that boxes of legal materials that he had physical access to since he entered prison were taken from his custody following a disciplinary situation. He indicates that although some of the materials have been returned to him, not all of it has. He contends that access to these materials is necessary in order for him to timely respond to the recently issued Roseboro Order (Entry 18), which

requires Plaintiff to respond to Defendants' Motion for Summary Judgment (Entry 16) on or before March 23, 2007. Input from Defendants is required before a ruling on said Motion can be made.

**Defendants are hereby specifically directed to file a response to Plaintiff's Motion to Return Legal Materials (Entry 15) on or before February 26, 2007 as indicated on the docket notation in ECF.**

IT IS SO ORDERED.



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Robert S. Carr  
United States Magistrate Judge

February *22*, 2007  
Charleston, South Carolina